

COUNTY OF SAN DIEGO  
STATEMENT OF PROCEEDINGS  
REGULAR MEETING OF BOARD OF SUPERVISORS  
WEDNESDAY, JULY 26, 2000

MORNING SESSION:

Meeting was called to order at 9:10 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Ron Roberts, Vice Chairman; Greg Cox; Pam Slater; and Bill Horn; also Thomas J. Pastuszka, Clerk.

AFTERNOON SESSION - Reconvened at 2:10 p.m. Supervisors Jacob, Chairwoman; Roberts, Vice Chairman, Cox, Slater and Horn being present.

Board of Supervisors' Agenda Items

---

1. CONTINUED NOTICED PUBLIC HEARING:  
STATUS REPORT ON JACUMBA VALLEY RANCH SPECIFIC PLAN (SP 91-03)  
AND MAJOR USE PERMIT (P91-012RPL), MOUNTAIN EMPIRE  
SUBREGIONAL PLAN AREA  
(CARRYOVER ITEM FROM 6/21/00, AGENDA ITEM NO. 1)
2. NOTICED PUBLIC HEARING  
COLLECTION ON FISCAL YEAR 2000-01 TAX ROLL OF EXISTING FEES AND  
CHARGES FOR ALPINE, JULIAN, LAKESIDE, PINE VALLEY AND SPRING VALLEY  
SANITATION DISTRICTS AND THE WINTER GARDENS SEWER MAINTENANCE  
DISTRICT; AND REIMBURSEMENT-PROPERTY LIEN PAYMENTS FOR LAKESIDE  
SANITATION DISTRICT  
(RELATES TO SANITATION AGENDA ITEM NO. 2)  
[FUNDING SOURCES ARE ANNUAL SEWER SERVICE CHARGES]
3. NOTICED PUBLIC HEARING:  
SANTA FE CREEK: SPECIFIC PLAN AMENDMENT/TIME EXTENSION;  
SP 92-001TE; SANTA FE CREEK SPECIFIC PLAN; SAN DIEGUITO  
COMMUNITY PLAN AREA
4. NOTICED PUBLIC HEARING:  
AN ORDINANCE EXTENDING INTERIM ORDINANCE NO. 9226  
RESTRICTING CERTAIN USES WITHIN THE EAST OTAY MESA SPECIFIC  
PLAN AREA  
(4 VOTES)
5. NOTICED PUBLIC HEARING  
HEARING TO CONFIRM ASSESSMENTS FOR THE SAN DIEGO COUNTY  
STREET LIGHTING DISTRICT  
(CARRYOVER ITEM FROM 6/21/00, AGENDA ITEM NO. 9)

6. NOTICED PUBLIC HEARING:  
HEARING TO CONFIRM FISCAL YEAR 2000-01 LEVIES FOR VARIOUS  
PERMANENT ROAD DIVISION ZONES OF BENEFIT AND COUNTY SERVICE  
AREAS
7. RAILROAD CROSSING AUTOMATED WARNING DEVICES: RESOLUTION IN  
SUPPORT OF SENATE BILL 1491 TO STUDY ALTERNATIVE AUDIBLE  
WARNING SYSTEMS
8. RESOLUTION OF OPPOSITION TO THE PROPOSED EXPANSION OF BROWN  
FIELD  
(CARRYOVER ITEM FROM 6/14/00, AGENDA ITEM NO. 11)  
THIS ITEM HAS BEEN SET FOR A 10:00 A.M. TIME CERTAIN
9. AMENDMENT TO CONTRACT WITH LAW ENGINEERING AND  
ENVIRONMENTAL SERVICES, INC., AND AUTHORIZE ISSUANCE OF A  
REQUEST FOR PROPOSALS, FOR INACTIVE WASTE SITE COMPLIANCE  
ACTIVITIES  
[FUNDING SOURCE IS SOLID WASTE ENVIRONMENTAL TRUST FUND]
10. ADOPT A RESOLUTION AND AUTHORIZE AN AGREEMENT INSURING  
POST-CLOSURE MAINTENANCE FUNDING FOR OTAY CLASS I LANDFILL  
[FUNDING SOURCE FOR ROUTINE MAINTENANCE COSTS IS THE SOLID  
WASTE ENVIRONMENTAL TRUST FUND (TRUST FUND)]
11. ADVERTISEMENT AND AWARD OF A CONTRACT TO RESURFACE  
MISSION ROAD, STATE HIGHWAY 76 TO HELLERS BEND NORTH, IN  
FALLBROOK  
[FUNDING SOURCES ARE FEDERAL TEA-21 (\$528,000) AND GAS TAX  
(\$72,000)]
12. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES  
TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE COUNTY  
BOARD OF SUPERVISORS
13. ADMINISTRATIVE ITEM:  
APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR PUBLIC  
AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN DIEGO TRACT NO.  
5039-1, LOCATED IN VALLEY CENTER COMMUNITY PLANNING AREA
14. PRESENTATIONS/PROCLAMATIONS
15. PUBLIC COMMUNICATION

1. **SUBJECT: CONTINUED NOTICED PUBLIC HEARING:  
STATUS REPORT ON JACUMBA VALLEY RANCH SPECIFIC PLAN  
(SP 91-03) AND MAJOR USE PERMIT (P91-012RPL), MOUNTAIN  
EMPIRE SUBREGIONAL PLAN AREA  
(CARRYOVER ITEM FROM 6/21/00, AGENDA ITEM NO. 1)  
(Supv. Dist: 2)**

**OVERVIEW:**

On June 21, 2000 (1), the Board of Supervisors continued the hearing on the Jacumba Valley Ranch Specific Plan and Major Use Permit for a Water Reclamation Plant. The reason for the continuance was to allow staff and the applicant to meet and determine the time and processing requirements necessary to bring back to the Board of Supervisors a revised project for approval. The Board directed that the revised project maintain many of the proposed project's components, although it is to include some of the characteristics of the Reduced Project Alternative as described in the project's Draft Environmental Impact Report. Department of Planning and Land Use Staff have met with the applicant's representatives and a schedule has been determined which allows sufficient time to prepare necessary documents and for processing and public review of the revised project and environmental documentation.

**FISCAL IMPACT:**

Not Applicable.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

Continue the hearing on the Jacumba Valley Ranch Specific Plan and Major Use Permit to Board of Supervisors Land Use Meeting on December 13, 2000, in order to receive a second status report from the Chief Administrative Officer which would describe the Applicant's progress in revising the project in response to the direction provided by the Board at the June 21, 2000 hearing.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, continuing the Hearing to December 13, 2000, 9:00 a.m.

AYES: Cox, Jacob, Slater, Horn

NOES: Roberts

2. **SUBJECT: NOTICED PUBLIC HEARING  
COLLECTION ON FISCAL YEAR 2000-01 TAX ROLL OF EXISTING FEES  
AND CHARGES FOR ALPINE, JULIAN, LAKESIDE, PINE VALLEY AND  
SPRING VALLEY SANITATION DISTRICTS AND THE WINTER GARDENS  
SEWER MAINTENANCE DISTRICT; AND REIMBURSEMENT-PROPERTY  
LIEN PAYMENTS FOR LAKESIDE SANITATION DISTRICT**  
(Supv. Dist: 1,2,4)

**OVERVIEW:**

Today's public hearing is necessary for preparation of the annual sanitation district tax roll, which ensures sewer service charge payments for Fiscal Year 2000-01 will be collected along with property taxes in the same manner they were during Fiscal Year 1999-00. Collecting sewer fees through tax roll avoids what would be a costly billing process for the County. Sanitation and sewer maintenance districts provide sewer services for 32,155 ratepayers. Fiscal Year 2000-01 annual sewer service charges remain the same as those collected for FY 1999-00.

This is a request to conduct a public hearing on individual sanitation district tax roll reports, and to adopt resolutions approving collection of sewer service charges on the tax rolls, as authorized by the Uniform Sewer Ordinance, for Alpine, Julian, Lakeside, Pine Valley, Spring Valley Sanitation Districts, and the Winter Gardens Sewer Maintenance District. Also requested is approval to collect payments on the tax roll from a reimbursement-property lien agreement for Lakeside Sanitation District, as authorized by the Uniform Sewer Ordinance.

**FISCAL IMPACT:**

This action is consistent with Fiscal Year 2000-01 proposed sanitation and sewer maintenance district budgets. Funding sources are annual sewer service charges. Approval of this request will result in no annual costs or additional staff years. There will be no impact to the General Fund as a result of this action.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Conduct a public hearing to consider all objections and protests to tax roll reports for each sanitation district and sewer maintenance district, on file with the Clerk of the Board of Supervisors.
2. Following the Public Hearing:

Adopt a Resolution entitled Resolution Authorizing Collection of Sewer Service Charges for Fiscal Year 2000-01 for Winter Gardens Sewer Maintenance District.

(RELATES TO SANITATION AGENDA ITEM NO. 2)

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 00-262, entitled: RESOLUTION AUTHORIZING COLLECTION OF SEWER SERVICE CHARGES FOR FISCAL YEAR 2000-01 FOR WINTER GARDENS SEWER MAINTENANCE DISTRICT.

AYES: Cox, Jacob, Slater, Roberts, Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:**  
**SANTA FE CREEK: SPECIFIC PLAN AMENDMENT/TIME**  
**EXTENSION; SP 92-001TE; SANTA FE CREEK SPECIFIC PLAN; SAN**  
**DIEGUITO COMMUNITY PLAN AREA**  
(Supv. Dist: 3)

**OVERVIEW:**

This is a request for an extension of the expiration date for the Santa Fe Creek Specific Plan. The expiration date for this Specific Plan was January 1, 2000, unless a Final Map had recorded. Since no Final Map has recorded, the applicant requested an extension of the expiration date. The process for requesting a change in the expiration date involves amending the Specific Plan Resolution of Approval. The implementing Tentative Map (TM 5013RPL<sup>2</sup>) has had its expiration date extended to October 20, 2002. The applicant proposes to change the expiration date for the Specific Plan to October 20, 2002, or automatically to any later date for which a time extension for TM 5013RPL<sup>2</sup> is subsequently granted. The project is located within the (21) Specific Plan Area (.23) Land Use Designation of the San Dieguito Community Plan and it is subject to the S88 Specific Planning Area Use Regulation. The project site is located North of the northerly terminus of Via de la Flores.

**FISCAL IMPACT:**

Not Applicable.

**BUSINESS IMPACT STATEMENT:**

Approval of this Time Extension would enable the applicant to proceed with the development of the site. This would have a positive effect on the construction industry.

**RECOMMENDATION:**

**PLANNING COMMISSION:**

Adopt the attached Resolution approving the amendment (SP 92-001TE) to the Santa Fe Creek Specific Plan, which makes the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and the County General Plan.

**RECOMMENDATION:**

**DEPARTMENT OF PLANNING AND LAND USE:**

The Department of Planning and Land Use concurs with the Planning Commission recommendation.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 00-263, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN AMENDMENT SP 92-001TE, SANTA FE CREEK.

AYES: Cox, Jacob, Slater, Roberts, Horn

4. **SUBJECT: NOTICED PUBLIC HEARING:  
AN ORDINANCE EXTENDING INTERIM ORDINANCE NO. 9226  
RESTRICTING CERTAIN USES WITHIN THE EAST OTAY MESA  
SPECIFIC PLAN AREA  
(Supv. Dist: 1)**

**OVERVIEW:**

This is a request for a 10 months and 15 days extension of an Interim Ordinance No. 9226 (N.S.), which established a 45 day interim prohibition on certain uses within the East Otay Mesa Specific Plan Area. The Interim Ordinance, approved by the Board of Supervisors on June 21, 2000, restricts incompatible uses in the East Otay Mesa Specific Plan Area targeted for potential high-technology development and for general industrial uses until the Specific Plan is comprehensively updated to more fully guide land use, infrastructure, financing, and incorporate the goals and objectives of establishing a regional high-technology park in the area. The Ordinance also segregates impactive heavy industrial uses from other industrial uses. The Ordinance allows temporary uses, but prohibits the siting of incompatible uses.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

**BUSINESS IMPACT STATEMENT:**

This action is intended to have positive long-term fiscal impacts by protecting areas for siting high-value industries. If approved, the Board's action will ultimately have a positive impact on the development of East Otay Mesa and the region in general. The creation of separate areas for a high-technology business park and other general industrial uses will group development by the nature and intensity of the proposed use and help to assure that neighboring uses are compatible.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Take the following actions relating to environmental review:
  - a. Review and consider information contained within the Final Environmental Impact Report (EIR) for the East Otay Mesa Specific Plan dated May 11, 1994.
  - b. Approve the Addendum to the EIR dated June 14, 2000, together with the findings pursuant to Section 15162 of the State CEQA Guidelines as stated in the Addendum.

- c. Reaffirm the findings concerning significant effects as stated in the Environmental Impact Report Discussion and Statement of Overriding Considerations adopted by the Board on May 11, 1994 (Log No. 93-19-6).
2. Issue a written report describing the measures taken to alleviate the conditions that led to the adoption of the ordinance.
3. Adopt the Form of Ordinance entitled:  
AN ORDINANCE EXTENDING INTERIM ORDINANCE NO. 9226 RESTRICTING CERTAIN USES WITHIN THE EAST OTAY MESA SPECIFIC PLAN (4 VOTES)

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 9235 (N.S.) entitled: AN ORDINANCE EXTENDING INTERIM ORDINANCE NO. 9226 RESTRICTING CERTAIN USES WITHIN THE EAST OTAY MESA SPECIFIC PLAN AREA.

AYES: Cox, Jacob, Slater, Roberts, Horn

5. **SUBJECT: NOTICED PUBLIC HEARING  
HEARING TO CONFIRM ASSESSMENTS FOR THE SAN DIEGO  
COUNTY STREET LIGHTING DISTRICT  
(CARRYOVER ITEM FROM 6/21/00, AGENDA ITEM NO. 9)  
(Supv. Dist: All)**

**OVERVIEW:**

The San Diego County Street Lighting District operates and maintains 8,300 public street lights throughout the unincorporated area of the County. The District is funded through assessments charged to all properties that benefit from the lights. The Board holds an annual public hearing to confirm the proposed assessments for the new fiscal year. The proposed rate of \$2.50 per benefit unit is unchanged since 1990.

**FISCAL IMPACT:**

Funds for this proposal are budgeted in the San Diego County Street Lighting District. If approved, this request will result in no additional current year cost, no annual cost, and require the addition of no staff years.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

At the close of public hearing, adopt a Resolution entitled Resolution Confirming Diagram and Assessments in the San Diego County Street Lighting District.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 00-264, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.

AYES: Cox, Jacob, Slater, Roberts, Horn

6. **SUBJECT: NOTICED PUBLIC HEARING:  
HEARING TO CONFIRM FISCAL YEAR 2000-01 LEVIES FOR  
VARIOUS PERMANENT ROAD DIVISION ZONES OF BENEFIT AND  
COUNTY SERVICE AREAS**  
(Supv. Dist: All)

**OVERVIEW:**

A public hearing is required annually to confirm and adopt levies for Permanent Road Division Zones of Benefit and County Service Areas prior to placing them on the tax roll. Proposition 218, approved by California voters in November 1996, determines how these districts set maximum rates, dependent upon whether they are categorized as an assessment, fee or charge, or a special tax.

Nine Permanent Road Division zones of benefit are initiating assessments or increasing assessment rates for Fiscal Year 2000-01. Forty Permanent Road Division Zones of Benefit will levy assessments at or below their approved range. Thirteen County Service Areas and their zones will levy assessments at or below their approved range. These include:

Two Park County Service Areas (No. 26 – Rancho San Diego and No. 128 – San Miguel), which will levy a fee or charge, are not increasing their levy maximum and therefore did not need to ballot.

County Service Area No. 135 – 800 MHz Communications and most of its zones will not levy, with the exceptions of Zones B - Del Mar, H - Solana Beach, and F - Poway, all of which received 1998 voter approval and, therefore, will levy a special tax.

Fire Protection District County Service Areas No. 107 – Elfin Forest and No. 113 – San Pasqual will levy under their voter approved maximum rate, as will County Service Areas No. 17 - San Dieguito Emergency Medical Services and No. 69 - Heartland Paramedic Services.

Four districts providing varied miscellaneous services will levy. They are: County Service Areas No. 26A – Cottonwood Village; No. 26B – Monte Vista; No. 129 -- Birch Street; and No. 136 – Sundance Detention Basin.

**FISCAL IMPACT:**

Funds for this proposal are budgeted in Permanent Road Division Zones of Benefit and County Service Areas. If approved, these requests will result in no additional current year cost, no annual cost, and will require no additional staff years. If recommended actions are not taken,



Permanent Road Divisions and County Service Areas will be unable to implement budgets approved by their chairpersons.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find, in accordance with Section 15061(b)(3) of California Environmental Quality Act (CEQA) Guidelines, it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment.
2. Adopt a Resolution Entitled Resolution of the Board of Supervisors Acting as the Governing Body of San Diego Countywide Permanent Road Division No. 1000 Zones of Benefit Adopting Assessments and Confirming Reports Re: Levies to be Collected on the Tax Roll for Fiscal Year 2000-01.
3. Adopt a Resolution Entitled Resolution of the Board of Supervisors Acting as the Governing Body of County Service Areas Adopting Assessments and Confirming Reports Re: Levies to be Collected on the Tax Roll for Fiscal Year 2000-01.
4. Adopt a Resolution Entitled Resolution of the Board of Supervisors Acting as the Governing Body of County Service Area No. 26 – Rancho San Diego Local Park District and County Service Area No. 128 – San Miguel Local Park District Adopting Charges and Confirming Reports Re: Levies to be Collected on the Tax Roll for Fiscal Year 2000-01.
5. Adopt a Resolution Entitled Resolution of the Board of Supervisors Acting as the Governing Body of County Service Area No. 135, Zones B – Del Mar, H – Solana Beach, and F – Poway Adopting Levies and Confirming Reports Re: Special Taxes to be Collected on the Tax Roll for Fiscal Year 2000-01.
6. Adopt a Resolution Entitled Resolution of the Board of Supervisors Acting as the Governing Body of County Service Area No. 107 – Elfin Forest and County Service Area No. 113 – San Pasqual Adopting Levies and Confirming Reports Re: Special Taxes to be Collected on the Tax Roll for Fiscal Year 2000-01.
7. Adopt a Resolution Entitled Resolution of the Board of Supervisors Acting as the Governing Body of County Service Areas No. 17 – San Dieguito Emergency Medical Services and No. 69 – Heartland Paramedic Services Adopting Levies and Confirming Reports Re: Special Taxes to be Collected on the Tax Roll for Fiscal Year 2000-01.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting the following Resolutions entitled:

00-265 RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE  
GOVERNING BODY OF SAN DIEGO COUNTYWIDE PERMANENT ROAD  
DIVISION NO. 1000 ZONES OF BENEFIT ADOPTING ASSESSMENTS AND

CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL  
FOR FISCAL YEAR 2000-01

00-266 RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE  
GOVERNING BODY OF COUNTY SERVICE AREAS ADOPTING ASSESSMENTS  
AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX  
ROLL FOR FISCAL YEAR 2000-01

00-267 RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE  
GOVERNING BODY OF COUNTY SERVICE AREA NO. 26 – RANCHO SAN  
DIEGO LOCAL PARK DISTRICT AND COUNTY SERVICE AREA NO. 128 – SAN  
MIGUEL LOCAL PARK DISTRICT ADOPTING CHARGES AND CONFIRMING  
REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL  
YEAR 2000-01

00-268 RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE  
GOVERNING BODY OF COUNTY SERVICE AREA NO. 135, ZONES B – DEL  
MAR, H – SOLANA BEACH, AND F – POWAY ADOPTING LEVIES AND  
CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE  
TAX ROLL FOR FISCAL YEAR 2000-01

00-269 RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE  
GOVERNING BODY OF COUNTY SERVICE AREA NO. 107 – ELFIN FOREST  
AND COUNTY SERVICE AREA NO. 113 – SAN PASQUAL ADOPTING LEVIES  
AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON  
THE TAX ROLL FOR FISCAL YEAR 2000-01

00-270 RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE  
GOVERNING BODY OF COUNTY SERVICE AREAS NO. 17 – SAN DIEGUITO  
EMERGENCY MEDICAL SERVICES AND NO. 69 – HEARTLAND PARAMEDIC  
SERVICES ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL  
TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2000-01

AYES: Cox, Jacob, Slater, Roberts, Horn

7. **SUBJECT: RAILROAD CROSSING AUTOMATED WARNING DEVICES:  
RESOLUTION IN SUPPORT OF SENATE BILL 1491 TO STUDY  
ALTERNATIVE AUDIBLE WARNING SYSTEMS**  
(Supv. Dist: All)

**OVERVIEW:**

Should the Board of Supervisors support Senate Bill (SB) 1491, to improve safety and quality of life for residents along rail routes in the County? This bill would authorize the California Public Utilities Commission (CPUC) to conduct pilot projects for the purpose of evaluating automated audible warning devices at railroad crossings in the hope that other devices, such as the wayside horn would provide safety and less nuisance than the traditional train.

Current law requires the sounding of a locomotive bell to whistle at least 1,320 feet from the place where the railroad crosses any street, with certain exceptions. State Senator Tim Leslie has introduced a bill (SB 1491) that adds an exception to current law in the case where the railroad crossing has a permanently installed audible warning device that automatically sounds when an approaching train is at least 1,320 feet from the crossing.

Further, this bill authorizes the CPUC to conduct pilot projects for the purpose of evaluating proposed railroad crossing warning devices.

In addition, the bill declares that the CPUC authorize pilot projects in Roseville and Lathrop to test the utility and safety of stationary, automated audible warning devices as an alternative to trains having to sound their horns as they approach railroad crossings.

**FISCAL IMPACT:**

None.

**RECOMMENDATION:**

**SUPERVISOR SLATER:**

Support SB 1491 to improve safety and quality of life for residents along rail routes in the County. Send the resolution and letters encouraging our local state Senate and Assembly delegation to support SB 1491 and a letter with the resolution to the Governor asking him to sign SB 1491.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

8. **SUBJECT: RESOLUTION OF OPPOSITION TO THE PROPOSED  
EXPANSION OF BROWN FIELD  
(CARRYOVER ITEM FROM 6/14/00, AGENDA ITEM NO. 11)  
(Supv. Dist: 1)**

**OVERVIEW:**

On June 14, 2000 (11), your Board continued the item to July 26, 2000 at the request of the Chief Administrative Officer, on Consent.

The City of San Diego, as the airport operator and local land use agency, entered into a Memorandum of Understanding with the San Diego Air Commerce Center in 1996, a private aviation facility developer, to redevelop the existing San Diego Brown Field Municipal Airport into a full service air cargo facility and commercial development. Redevelopment would include eastward expansion of the runway, with significant effect on the adjacent unincorporated territory. Provisions of the Memorandum of Understanding required the applicant to prepare an Airport Master Plan, a Comprehensive Land Use Plan, and all supporting environmental documents. The County has received and reviewed these documents and find that the project

will have detrimental impacts to the East Otay Mesa Specific Plan Area. This proposed Board position would be to recommend opposition to the project, and in the event the San Diego City Council approves the project, for the County to hold a public hearing pursuant to the California Public Utilities Code that allows the Board to approve or disapprove the project since it includes the acquisition of unincorporated land.

**FISCAL IMPACT:**

Not applicable.

**BUSINESS IMPACT STATEMENT:**

There is a regional need for an air cargo airport, and the applicant has stated that this project would add \$750 million annually in economic benefits to the region (including 11,000 jobs). However, this expansion presents major adverse impacts to the East Otay Mesa Area, whose development is expected have even more significant long-term economic benefits. Additionally, noise impacts to already-developed areas in the South Bay could lower property values.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Adopt the Form of Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN OPPOSITION TO THE EXPANSION OF BROWN FIELD.
2. Direct the Chief Administrative Officer to provide testimony at San Diego City Council meetings.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors took action as recommended on the revised recommendations, noted below, adopting Resolution No. 00-271, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN OPPOSITION TO THE EXPANSION OF BROWN FIELD.

Revised Recommendations:

1. Adopt resolution of opposition for reasons shown in the one page handout (bullets) entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS IN OPPOSITION TO THE EXPANSION OF BROWN FIELD.
2. Authorize staff to provide testimony if the City holds a hearing to adopt this EIR.
3. Authorize staff to submit detailed technical comments on the EIR to the City staff.
4. Request Brown Field applicants to open an account with the County to fund County participation in meetings to resolve the remaining issue areas, prepare a fully accurate EIR, and recover costs incurred to date.

AYES: Cox, Jacob, Slater, Roberts, Horn

9. **SUBJECT: AMENDMENT TO CONTRACT WITH LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC., AND AUTHORIZE ISSUANCE OF A REQUEST FOR PROPOSALS, FOR INACTIVE WASTE SITE COMPLIANCE ACTIVITIES**  
(Supv. Dist: All)

**OVERVIEW:**

On March 1, 1999, the County awarded a contract to Law Engineering and Environmental Services, Inc. to provide compliance activities for the National Pollutant Discharge Elimination System General Permit for Industrial Activities at twelve County-owned landfills and burnsites. This contract was awarded in accordance with County Purchasing and Contracting competitive procedures. The contract did not require Board approval, as expected cost for services was less than \$100,000.

On June 14, 2000, the Regional Water Quality Control Board issued waste discharge requirements to the County, which included compliance with the General Permit for a site not initially included in the scope of services of the existing consultant contract. In addition, these Water Board directives expanded reporting requirements at several original sites beyond those within the existing scope of services.

The contract with Law Engineering and Environmental Services, Inc. allowed the County to extend the contract at its discretion, in one-year increments. It is currently in its second year. However, as a result of new Water Board requirements, additional work is needed, increasing the annual total contract amount above \$100,000. Staff recommends increasing the not-to-exceed amount of the contract to cover the additional work in the short term, and to issue a new Request for Proposals for a similar contract with expanded scope of work as soon as possible. This is a request to waive the advertising requirement in accordance with Board Policy A-87, Competitive Procurement. It is also a request to approve and authorize the Deputy Director of Purchasing and Contracting to amend the contract with Law Engineering and Environmental Services, Inc. to ensure that compliance is maintained until the new contract is awarded, and to issue a Request for Proposals and subsequently award a new contract for inactive waste site compliance activities and surface water control.

**FISCAL IMPACT:**

Funds for this proposal are budgeted. Funding source is Solid Waste Environmental Trust Fund. If approved, this request will result in current year cost not to exceed \$155,000, annual cost up to \$155,000 and will require no additional staff years.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find the project is not subject to the requirements of California Environmental Quality Act (CEQA) under the State CEQA guidelines Section 15061(b)(1) because it is not a project as defined in Section 15378.
2. In accordance with Board Policy A-87, Competitive Procurement, waive the advertising requirement and approve and authorize the Deputy Director of Purchasing and Contracting, Department of General Services, to amend the contract with Law

Engineering and Environmental Services, Inc., to continue General Permit compliance and surface water control activities subject to successful negotiations with Law Engineering and Environmental Services, Inc., and the approval of the Director, Department of Public Works.

3. In accordance with 398.17(a) of the County Administrative Code authorize the Deputy Director of Purchasing and Contracting, Department of General Services, to issue a Request for Proposals and negotiate and award a contract for one year with an option to extend for four additional years, to acquire General Permit compliance activities and surface water control for the Department of Public Works, Inactive Waste Site Management; and to amend the contract as required for changes in funding or services subject to the approval of the Director, Department of Public Works.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Slater, Roberts, Horn

10. **SUBJECT: ADOPT A RESOLUTION AND AUTHORIZE AN AGREEMENT INSURING POST-CLOSURE MAINTENANCE FUNDING FOR OTAY CLASS I LANDFILL**  
(Supv. Dist: 1)

**OVERVIEW:**

As part of the 1997 solid waste divestiture, the County agreed with Allied Waste to remove burn site ash from the Otay Class III (non-hazardous solid waste) Landfill. The most economical method was relocation to the adjacent Otay Class I (hazardous waste) Landfill, which is still owned by the County.

Regional Water Quality Control Board allowed placement of the ash on the Otay Class I Landfill as part of formal closure of that landfill. Ash has been moved and the closure process is underway for the Otay Class I Landfill. One closure requirement is establishment of a financial assurance mechanism to insure funds will be available for both post-closure maintenance of the landfill and costs of unexpected future corrective actions. Establishing a financial assurance with a pledge of revenue will assure compliance with the closure requirements using a cost efficient mechanism.

The Board is requested to adopt a resolution and authorize a pledge of revenue agreement to establish a required post-closure maintenance funding mechanism for the Otay Class I Landfill.

**FISCAL IMPACT:**

This request will have no fiscal impact, as it involves assuring financing for future activities already anticipated and funded. Funding source for routine maintenance costs is the Solid Waste Environmental Trust Fund (Trust Fund). Otay Class I Landfill maintenance costs approximately

\$78,000 annually and will require no additional staff years. There will be no impact to the General Fund.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find the project is Categorically Exempt from California Environmental Quality Act (CEQA) according to CEQA Guidelines Section 15304, Minor Alterations to Land.
2. Adopt a Resolution entitled Resolution Establishing Financial Assurance for Post-closure Maintenance of the Otay Class I Landfill.
3. Approve and authorize the Clerk of the Board to execute a Pledge of Revenue Agreement Establishing Financial Assurance for Post-closure Maintenance of the Otay Class I Landfill.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-272, entitled: RESOLUTION ESTABLISHING FINANCIAL ASSURANCE FOR POST-CLOSURE MAINTENANCE OF THE OTAY CLASS I LANDFILL.

AYES: Cox, Jacob, Slater, Roberts, Horn

11. **SUBJECT: ADVERTISEMENT AND AWARD OF A CONTRACT TO RESURFACE MISSION ROAD, STATE HIGHWAY 76 TO HELLERS BEND NORTH, IN FALLBROOK**  
(Supv. Dist: 5)

**OVERVIEW:**

On June 15, 1999 (19), the Board approved an amendment to the TransNet Program and Regional Transportation Improvement Plan for Fiscal Years 1998/99 through 2003/04, which included six new road pavement rehabilitation projects funded with \$2.9 million in federal Transportation Equity Act-21 (TEA-21) funds. One of these projects was resurfacing of Mission Road in Fallbrook, from State Highway 76 to Hellers Bend North. The Department of Public Works has scheduled the project for Fall 2000. Resurfacing the roadway will restore its structural integrity and prevent future costly road repair.

This is a request to adopt a resolution approving execution of a Program Supplement to allow acceptance of federal funding and to approve advertisement and subsequent award of a contract to resurface approximately two miles of Mission Road in Fallbrook.

**FISCAL IMPACT:**

Funds for Mission Road Resurfacing are budgeted in the Department of Public Works Detailed Work Program. Funding sources are federal TEA-21 (\$528,000) and Gas Tax (\$72,000). If

approved, this request will result in \$600,000 current year cost, no annual cost, and requires no additional staff years.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that this project is categorically exempt from provisions of the Guidelines since it consists of maintenance of existing facilities with no increase in capacity.
2. Adopt a Resolution entitled Resolution of the Board of Supervisors Approving Execution of a Program Supplement for Mission Road Resurfacing Project.
3. Authorize the Deputy Director, Purchasing and Contracting Division of General Services, to take any action authorized by Section 398.17.3 (a) of the Administrative Code with respect to contracting for the subject public works project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the project.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-273, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS APPROVING EXECUTION OF A PROGRAM SUPPLEMENT FOR MISSION ROAD RESURFACING PROJECT.

AYES: Cox, Jacob, Slater, Roberts, Horn

12. **SUBJECT: ADMINISTRATIVE ITEM:**  
**SECOND CONSIDERATION AND ADOPTION OF ORDINANCES**  
**TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE**  
**COUNTY BOARD OF SUPERVISORS**  
(Supv. Dist: All)

**OVERVIEW:**

On July 12, 2000 (5), your Board introduced Ordinances for further Board consideration on July 26, 2000.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed changes or additions to traffic controls. Thirty-seven items were on the Committee's June 2, 2000 meeting agenda. The Committee recommends your action on 32 items, as five items (A, B, G1, G2, and P) were continued prior to the TAC meeting. Of the 32 items, 19 are recommended for adoption. The Committee recommends non-adoption or alternative action for 10 items (D, E, F, I, J, L, N, R, S, and X), and continuance of three items (H, K, and V).



**FISCAL IMPACT:**

Funds for this proposal are budgeted in the Department of Public Works Road Fund.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

Adopt Ordinances entitled:

AN ORDINANCE ADDING SECTION 72.243.2.6. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item T)

AN ORDINANCE ADDING SECTION 72.143.14. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item O1)

AN ORDINANCE ADDING SECTION 72.143.15. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item O2)

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting the following Ordinances entitled:

9236 AN ORDINANCE ADDING SECTION 72.243.2.6. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item T)

9237 AN ORDINANCE ADDING SECTION 72.143.14. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item O1)

9238 AN ORDINANCE ADDING SECTION 72.143.15. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item O2)

AYES: Cox, Jacob, Slater, Roberts, Horn

13. **SUBJECT: ADMINISTRATIVE ITEM:**  
**APPROVAL OF A FINAL MAP AND SECURED AGREEMENT FOR**  
**PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY OF SAN**  
**DIEGO TRACT NO. 5039-1, LOCATED IN VALLEY CENTER**  
**COMMUNITY PLANNING AREA**  
(Supv. Dist: 5)

**OVERVIEW:**

This project is a subdivision consisting of 13 single-family residential lots, and 1 remainder lot, with a total acreage of 91.90 acres. It is located in the Valley Center area, on the west side of Valley Center Road, at Banbury Drive. (Thomas Guide, Page 1090, E-5, 2000 Edition)

The project is being brought before the Board for adoption of the resolution accepting previously rejected offers to dedicate, and for approval of the final map and the secured agreement for the public and private improvements.

**FISCAL IMPACT:**

This request will have no fiscal impact.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve this map and accept on behalf of the public, subject to improvements, Sugar Bush Way and the portions of Valley Center Road (SF 639) for use as streets as dedicated on said map.
2. Accept the access rights from lots 6, 10, 11, 12 and the Remainder Lot in and to Valley Center Road (SF 639), and from lots 5 and 6 in and to Banbury Drive, all as relinquished and waived on said map.
3. Accept the open space easement and the access restriction easement, each over a portion of lot 2, as granted on said map.
4. Adopt the Resolution Accepting Previously Rejected Offers to Dedicate Subdivision Streets, accepting the previously rejected offers of dedication of lots B and D, both reserved for future street on Map No. 4598.
5. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements, water facilities, and setting of final monuments.

**ACTION:**

ON MOTION of Supervisor Slater, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 00-296, entitled: RESOLUTION ACCEPTING PREVIOUSLY REJECTED OFFERS TO DEDICATE SUBDIVISION STREETS.

AYES: Cox, Jacob, Slater, Roberts, Horn

14. **SUBJECT: PRESENTATIONS/PROCLAMATIONS**

Chairwoman Jacob presented a Proclamation to Rich Robinson honoring 30 Years of Outstanding Service.

Chairwoman Jacob presented a Proclamation to James Radice honoring 30 Years of Outstanding Service.

Supervisor Pam Slater accepted an award from Valerie Hall honoring The Green Building Program.

15. **SUBJECT: PUBLIC COMMUNICATION**

Sigmund Weitzman addressed the Board regarding electric rates.

Donald Hurlbert addressed the Board regarding land use issues.

Mary Anne Pentis addressed the Board regarding Vernal Pools.

**ACTION:**

Heard; referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 4:00 p.m.

THOMAS J. PASTUSZKA

Clerk of the Board of Supervisors  
County of San Diego, State of California

Notes by: Egan

- - -

NOTE: This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.